

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/731,183	MANDELL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Anu Ramana	3733	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on June 21, 2007.
2. ☒ The allowed claim(s) is/are 12-16, 25 and 33-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|  | 9. <input type="checkbox"/> Other _____  |

*Anuradha Ramana*  
 ANURADHA RAMANA  
 PRIMARY EXAMINER  
 TECHNOLOGY CENTER 3700

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the Attorney of Record, Mr. Bradley P. Heisler, on July 20, 2007. See attached Interview Summary Form.

The application has been amended as follows:

In the claims (see amendment filed on June 21, 2007):

In claim 12, line 10: replaced "adapted" with - - configured - - for clarity.

In claim 12, line 11: after "bore" and before ";," inserted - - the seal having an edge that flexes toward the outside surface of the liner when the seal is deformed - - to define Applicants' invention.

In claim 12, line 14: deleted "an annular groove in the acetabular cup" for clarity.

In claim 12, line 15: deleted "facing inward and" for clarity.

In claim 12, line 16: replaced "the" with - - a - - to correct a minor typographical error.

In claim 12, line 19: replaced "is" with - - being - - to correct a minor typographical error.

In claim 14, line 3: replaced "the" with - - a - - to correct a minor typographical error.

In claim 15, line 5: replaced "completely surrounds the bore" with - - is configured to completely surround the bore of the acetabular cup - - for clarity.

In claim 16, line 3: deleted "; and" and inserted - - . - - instead to correct a minor typographical error.

In claim 16: deleted lines 4-6 for clarity.

In claim 25, line 6: replaced "adapted" with - - configured - - to correct a minor typographical error.

In claim 25, line 8: replaced "adapted" with - - configured - - to correct a minor typographical error.

In claim 25, line 13: replaced "said" with - - a - - to correct a minor typographical error.

In claim 25, line 17: replaced "is adapted to flex" with - - flexes - -

In claim 25, line 22: deleted "an annular groove in the acetabular cup" for clarity.

In claim 25, line 23: deleted "facing inward and" for clarity.

In claim 25, line 24: replaced "the (first occurrence)" with - - a - - for clarity.

In claim 25, line 27: after "seal" and before "deformed" inserted - - being - - for clarity.

In claim 25, line 28: after "side (first occurrence)" and before "spaced" inserted - - of the ring is - - and in the same line after "side (second occurrence)" and before "by" inserted - - of the ring - - for clarity.

In claim 25, line 31: after "side (first occurrence)" and before "spaced" inserted - - of the ring is - - and in the same line after "side (second occurrence)" and before "by" inserted - - of the ring - - for clarity.

In claim 33, line 12: replaced "adapted to be interposed between said" with - - on the - - to clarify Applicants' invention.

In claim 33, line 13: replaced "said interior surface of said acetabular cup" with - - configured to be - - to clarify Applicants' invention.

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In claim 33, line 16: after "bore" and before ";" inserted - - wherein in a deformed state an edge of the seal flexes toward the outside surface of the liner - - to clarify Applicants' invention.

In claim 34, line 1: after "side" and before "spaced" inserted - - of the ring is - - to clarify Applicants' invention.

In claim 34, line 2: after "side and before "by" inserted - - of the ring - - to clarify Applicants' invention.

In claim 34, line 4: after "side (first occurrence)" and before "spaced" inserted - - of the ring is - - and in the same line after "side (second occurrence)" inserted - - of the ring - - to clarify Applicants' invention.

In claim 35, line 21: after "cup" and before "." inserted - - wherein a circular edge of the seal flexes toward the outside surface of the liner when the deforming seal is deformed - - to clarify Applicants' invention.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anu Ramana whose telephone number is (571) 272-4718. The examiner can normally be reached Monday through Friday between 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eduardo Robert can be reached at (571) 272-4719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AR  
July 20, 2007

  
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